

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested:

Claims 1-3, 5-9, 11-12, 14 and 20-28 remain pending in this application. Claims 4 and 13 are cancelled. Claims 10, 15-19 and 29-32 have previously been cancelled.

The indication of withdrawal of the rejection under 35 USC 112 is noted with appreciation.

Claims 1 and 20 have been amended to reflect that one of the first and second portions has a series of dies and cuts which form at least one removable element. Support for the amendment is found throughout the specification, including for example paragraph [0062]. The amendment further illustrates the invention that the cards are created from the substrate rather than having cards inserted into holes in one substrate as is disclosed in Mercer et al. In addition, claims 1 and 20 have been further amended to indicate that at least each of the portions have a pattern of material adjacent a transversely extending end edge.

Claims 1, 20 and 24 have been amended to indicate that the first pattern of material has a different thickness than the second pattern of material. Support for this amendment is found for example in paragraphs [0043], [0069], [0056] and others. The claims have also been amended to indicate that the first and second portions are of a different thicknesses.

Claims 1-7, 11-14, 20 and 22-23 are rejected under 35 USC 103 as being unpatentable over USPN 6,340,512 to Mercer et al. Claims 1, 20 and 24 have been amended. Applicant respectfully requests reconsideration and withdraw of the present rejection.

In the Official Action, the Examiner contends that the sheet in Mercer et al to be a first substrate with the cards acting as the second substrate. The cards are inserted into holes in the substrate, which the Examiner indicates can also function as the removable element. However, the reference still does not teach or suggest an element that is removable from the second substrate, as amended. If the cards are the second substrate, then there is no removable element. If the cards function as the removable element then there is no second portion.

In addition, Mercer et al do not teach or suggest that the removable element has been created by a series of cuts and ties, as amended. In addition, Mercer et al. do not teach the use of patterns of material that have differing thickness to serve as leveling aids for the form construction. The differing thickness of patterns serve to form leveling aids as provided in paragraph [0043] which is not taught or suggested by Mercer et al.

Mercer et al. discuss reduced bulk, as a portion of the card thickness is consumed by the holes in the substrate. However, at least on one side of the form a “bump” would occur due to a portion of the cards being above the surface of the form which can cause printer processing difficulties. In the present invention, since the cards are created in the second portion, by a series of cuts, that is the cards or removable elements are homogeneous with second portion, there is no bump. The discussion

relating to optimizable features relates to the selection of the card material and the substrate rather than the formation of leveling aids. That is, Mercer et al. when using a thicker card, would use a heavier bond sheet to conceal more of the bulk of the card. Mercer et al. do not provide differing thickness material on the first and second portions of the form to level the form when placed into a stack.

Mercer et al. do not teach that at least one pattern is one each of the first and second portions or substrates and is adjacent the edge or side of each of the portions or substrates. Assuming for the sake of argument, that the cards are the second substrate, then there is no pattern adjacent the edge of the first portion as required by the claims of the present invention.

Claim 15 has been rejected under 35 USC 103 as being unpatentable over Mercer et al. in view of 4,627,994 to Welsch. As claim 15 as been cancelled, this rejection is moot and should be withdrawn.

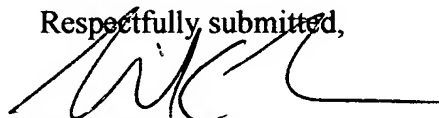
Claims 24 and 26-28 have been rejected under 35 USC 103 as unpatentable over Mercer et al. in view of Welsch. Reconsideration and withdrawal of the rejection is respectfully requested. In view of the amendments to the claims, it is believed that the rejection is now moot as the combination does not teach first and second portions having different thicknesses from one another and patterns of material having different thickness from one another and that a pattern is placed adjacent an end edge.

Claims 8-9 and 21 are rejected under 35 USC 103 as being unpatentable over Mercer et al in view of Downs. Reconsideration and withdrawal of the rejection is respectfully requested. The combination of Mercer et al. and Downs does not teach or suggest the use of patterns of material that have differing thicknesses to offset the different thickness of the two portions that are joined together to form the construction.

Claim 25 has been rejected under 35 USC 103 as being unpatentable over Mercer et al in view of Downs and further in view of Downs. Reconsideration and withdrawal of the rejection is respectfully requested. In view of the amendments to the claims, it is believed that the rejection is now moot as the combination does not teach first and second portions having different thicknesses from one another and patterns of material having different thickness from one another and that a pattern is placed adjacent an end edge.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael C. Maier', is written over the typed name.

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